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 LIBERTY LIFE ASSURANCE COMPANY and  
 CHARLES SCHWAB DISABILITY PLAN

UNITED STATES DISTRICT COURT  
 NORTHERN DISTRICT OF CALIFORNIA

JAMES BOSSIER,

Plaintiff,

v.

CHARLES SCHWAB DISABILITY  
 PLAN, LIBERTY LIFE ASSURANCE  
 COMPANY OF BOSTON,

Defendants.

CASE NO. CV-10-0971 RS

**STIPULATION AND ~~PROPOSED~~  
 ORDER DISMISSING DEFENDANT  
 CHARLES SCHWAB DISABILITY PLAN**

**WHEREAS**, this is an action arising under the Employee Retirement Income Security Act of 1974, as amended (“ERISA”), 29 U.S.C. section 1132 (a)(1) and (3);

**WHEREAS**, plaintiff JAMES BOSSIER named The Charles Schwab Disability Plan (“the Plan”) as a defendant in this action;

**WHEREAS**, the long-term disability portion of the Plan was insured under a group disability income policy issued by Liberty Life Assurance Company of Boston to Charles Schwab & Co., Inc., the sponsor of the Plan;


**WHEREAS**, while Defendants deny liability in this action, Liberty Life agrees it will be liable for any judgment or settlement that may result from this action as if it were the Plan;

**IT IS HEREBY STIPULATED** between the parties, by and through their respective counsel of record, that Liberty Life agrees not to object that the Plan is not longer a party.

**IT IS SO STIPULATED.**

LAW OFFICES OF SAM WARE

ROPER, MAJESKI, KOHN &amp; BENTLEY

  
Honorable Richard Seeborg  
United States District Court Judge